

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARGARET MIKE, WILLIAM MIKE,
SHANNON MIKE and GEORGETTE
MIKE, individually,

and

SHANNON MIKE AND GEORGETTE
MIKE as parents and next friends of
A.E.M., A.U.M and A.A.M, minor children

Plaintiffs,

v.

No. 12-cv-01215-WDS/LFG

TERRY MCCOY, STEVE JACKSON,
DAVE McCALL, MANASSEH BEGAY, and
KORY FAULK, individually, and as Law Enforcement
Officers and Employees of SAN JUAN COUNTY
SHERIFF'S DEPARTMENT, and DEPUTIES AND
EMPLOYEES OF SAN JUAN COUNTY SHERIFF'S
DEPARTMENT WHOSE IDENTITIES ARE UNKNOWN
AT THIS TIME,

and

WALTER NICKERSON and DAVID KING,
individually, and as Law Enforcement Officers
and Employees of CITY OF FARMINGTON
POLICE DEPARTMENT, and OFFICERS
AND EMPLOYEES OF FARMINGTON POLICE
DEPARTMENT WHOSE IDENTITIES ARE
UNKNOWN AT THIS TIME,

Defendants.

AFFIDAVIT OF WALTER NICKERSON

Walter Nickerson, being first duly sworn, upon his oath states as follows:

1. I am employed as a police Officer by the Farmington Police Department ("FPD").
2. I have served as a police officer with FPD for 3 years.

3. On March 19, 2012, at or about 9:15 a.m., I responded to the San Juan County Sheriff's Deputy Terry McCoy's request for assistance.

4. I helped stop the suspect vehicle, a dark Chevrolet sedan with no visible license plate and darkly tinted windows, at Broadway and Orchard, in the City of Farmington.

5. I activated my emergency equipment and pulled to the driver side of the suspect vehicle, at a 45 degree angle, as it came to a stop.

6. I took cover behind my driver door and drew my duty weapon.

7. I provided cover for other officers as the occupants of the suspect vehicle exited the vehicle and as Juan County deputies took the adult occupants into custody.

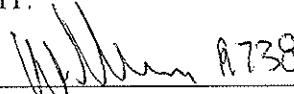
9. One boy, who was not handcuffed, was placed in the rear driver side of my unit.

10. I comforted the boy, turned the heater in my unit on for him and continued to provide cover for the short remaining duration of the stop.

11. I did not search any person or place anyone in handcuffs.

12. I did not search the suspect vehicle.

FURTHER AFFIANT SAYETH NAUGHT.


Walter Nickerson

STATE OF NEW MEXICO)
) ss.
COUNTY OF SAN JUAN)

SUBSCRIBED AND SWORN to before me this 28th day of June, 2013.

Notary Public


Shirley Guggema

My Commission Expires:

11-07-2014